

Interior Appropriations Subcommittee—for whom I have a great deal of respect—to devise a solution to this problem that might help all Native American children. And we must find solutions that do not destroy our National Parks.

What the pending bill does is carve out a huge chunk of land from the heart of the Great Smokey Mountains National Park valued at more than \$3 million and trades it to the Eastern Band for land 30 miles away, not even within the park's boundaries, valued at \$600,000. The bill is an attempt to short-change the administrative process that is currently underway.

The National Park Service and a coalition of nonprofit environmental organizations are examining this proposed exchange as we speak. The NPS is putting the finishing touches on an Environmental Impact Statement that will address the obvious impacts this planned construction will have on the Park's resources, as well as the possibility of building the schools elsewhere.

The nonprofit groups have also publicly pledged to work with the Tribe to find an alternative site.

Once we have gathered all the facts, we could move forward with carefully crafted legislation if necessary to resolve the educational needs of the children of the Eastern Band without impacting a national treasure. And yet we are moving full steam ahead with this legislation, cutting off the NEPA process and abandoning any attempt at compromise.

This is particularly ironic given that language was included in the House-passed Interior Appropriations bill requiring further study of this proposal. Apparently, as recently as July, the supporters of this legislation felt that this proposed exchange raised concerns serious enough to warrant further study. To ram it through the House 2 months later is unwise and unwarranted.

I would raise one additional issue. It is passing strange that tomorrow the Resources Committee is scheduled to consider another bill concerning lands Indians lay claim to, but in that case, the proposed solution is to pay them off rather than cede them the land. Why the difference in approaches?

Simply put, the land in question in that case is rich in gold. It is valuable to the mining industry. Yet, the claims by the Western Shoshone to this land is well established.

I have to wonder whether the inconsistent approach between these two bills is related to the fact that the land taken from the Western Shoshone is known to be extremely valuable to mining companies, while in the case of H.R. 1409, the land in question is in a National Park.

To the Eastern Bank of the Cherokee, I understand that your history is one of broken treaties and stolen lands. It is the story of a great Indian nation hunted by the U.S. Cavalry, split at the seams, and forced either to escape to the mountains or to trudge along on a death march to a strange land.

The Eastern Band were able to escape the Trail of Tears and live in the mountains of North Carolina. They stayed together and rebuilt their nation.

I have nothing but respect for the Eastern Band, however, I must object to the consideration of H.R. 1409 under the suspension of the rules. If the administrative process underway is to be trammelled upon, I say to the pro-

ponents of this bill, at least bring it up under regular order.

I urge my colleagues to defeat this measure on suspension.

Mr. UDALL of Colorado. Mr. Speaker, I must object to the manner in which the House is taking up this bill, and cannot support the motion to suspend the normal rules that otherwise would apply to its consideration.

The bill would authorize an exchange of land between the Federal Government and an Indian tribe. The purpose of the exchange is to provide the tribe with land appropriate for building much-needed new schools. The land that would go to the tribe is now part of a national park, while the land that the government would receive is a park inholding.

The Resources Committee's hearing on the measure left me with no doubt about the tribe's need for those new schools—and of course that means that a suitable site is necessary.

But the hearing also made clear that the specific details of this bill, and the exchange it would mandate, are controversial and that the legislation is opposed strongly by a variety of people, both in North Carolina and here in Washington, DC.

Therefore, I think the House should consider the bill under procedures that would allow for more extensive debate and for the possibility of amendments—rather than through a motion to suspend the rules, which severely limits debate and does not allow for any amendments to be offered. Motions to suspend the rules should be used only for less controversial measures.

Accordingly, I will vote against the motion in this instance, and urge the leadership of the House to allow the House to consider H.R. 1409 under normal procedures.

Mr. BLUMENAUER. Mr. Speaker, I voted in favor of H.R. 1409, which would provide for an exchange of land with the Eastern Band of the Cherokee Nations. There had been some concerns raised by environmental interests, but evidence about the environmental merits of the exchange are mixed, and opinions are not unanimous.

Furthermore, the basic issue for me must be equitable treatment for Native Americans. This is an area where the relationship between the Federal Government and the Cherokee Nation is shameful. The history of this land includes the infamous Trail of Tears, and more recently, when the land was involved in a land exchange for building the Blue Ridge Parkway, a promise that was never fulfilled.

In cases like this where items are controversial, I give heavy weight to treating Native Americans fairly and whenever possible, to correct past injustices. This appears to meet that fundamental criterion and therefore I support it.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1409.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. CHRISTENSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### MOUNT NAOMI WILDERNESS BOUNDARY ADJUSTMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 278) to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes.

The Clerk read as follows:

S. 278

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Mount Naomi Wilderness Boundary Adjustment Act".

#### SEC. 2. BOUNDARY ADJUSTMENTS.

(a) LANDS REMOVED.—The boundary of the Mount Naomi Wilderness is adjusted to exclude the approximately 31 acres of land depicted on the Map as "Land Excluded".

(b) LANDS ADDED.—Subject to valid existing rights, the boundary of the Mount Naomi Wilderness is adjusted to include the approximately 31 acres of land depicted on the Map as "Land Added". The Utah Wilderness Act of 1984 (Public Law 98-428) shall apply to the land added to the Mount Naomi Wilderness pursuant to this subsection.

#### SEC. 3. MAP.

(a) DEFINITION.—For the purpose of this Act, the term "Map" shall mean the map entitled "Mt. Naomi Wilderness Boundary Adjustment" and dated May 23, 2002.

(b) MAP ON FILE.—The Map shall be on file and available for inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(c) CORRECTIONS.—The Secretary of Agriculture may make technical corrections to the Map.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mount Naomi is located in the Wasatch-Cache National Forest in Utah and borders the eastern boundary of the city of Logan in my State. At over 44,000 acres, it is clearly one of the largest wilderness areas in the State of Utah and was designated in the Wilderness Act of 1984. Unfortunately, mysteriously, some utility poles have grown up in this wilderness area.

In reality, when it was created, by an oversight of Congress it encompassed an area which has utility corridors, both water and electricity. In addition to that utility corridor, there is a section of the Bonneville Shoreline Trail system that runs through this wilderness area. This is a trail system that connects northern and southern Utah.

It is extremely popular with bikers, hikers, equestrian traffic; and it is the only section of that trail system which actually happens to be in a wilderness area.

Seeing that problem, maintaining that utility corridor as well as maintaining that trail system in a wilderness area, the Forest Service and the local community have found a solution, which is in this particular bill. By taking 31 acres, which is the smallest footprint possible, on the western side of this wilderness area, which abuts the city of Logan, and transferring that out of the wilderness area and then finding on the eastern side of the wilderness area a section by the Forest Service 31 other acres which fits the contour of Mount Naomi and also has all the characteristics that are required for a wilderness area, we have been able to make an exchange which will allow the city of Logan to maintain their utility corridor, the State to maintain their trail system and also maintain the same acreage of wilderness in the State of Utah.

This has passed this particular House before. I hope to do it a second time and then solve this problem for the city of Logan as well as for the Forest Service, which has the support of the Forest Service and the local community and all other entities that I am aware that have an interest in this particular area. It is a good piece of legislation.

I definitely thank my colleagues on the committee for expediting its consideration, and I urge adoption of Senate bill 278.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, S. 278 would remove from the wilderness designation 31 acres of land in one section and would add 31 acres to another portion of the Mount Naomi Wilderness Act. Last Congress, the House passed identical legislation. S. 278 passed the Senate earlier this year.

We support this legislation.

Mr. Speaker, I have no further speakers on this bill, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the Senate bill, S. 278.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

# EXTENDING AUTHORITY FOR CONSTRUCTION OF MEMORIAL TO MARTIN LUTHER KING, JR.

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1209) to extend the authority for the construction of a memorial to Martin Luther King, Jr., in the District of Columbia, and for other purposes.

The Clerk read as follows:

H.R. 1209

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. EXTENSION OF AUTHORITY FOR CONSTRUCTION OF MEMORIAL TO MARTIN LUTHER KING, JR.

(a) EXTENSION.—Subsection (b) of section 508 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4157; 40 U.S.C. 8903 note) is amended to read as follows:

“(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the memorial shall be in accordance with chapter 89 of title 40, United States Code. Notwithstanding section 8903(e) of such title, the authority provided by this section expires November 12, 2006.”

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by striking “the Commemorative Works Act (40 U.S.C. 1001 et seq.)” and inserting “chapter 89 of title 40, United States Code”; and

(2) in subsection (d)—

(A) by striking “section 8(b) of the Commemorative Works Act” and inserting “section 8906(b) of title 40, United States Code”;

(B) by striking “section 10(b) of that Act” and inserting “subsection (b)”;

(C) by striking “section 8(b)(1) of that Act” and inserting “section 8906(b) of such title”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1209, introduced by the gentlewoman from California (Ms. WATSON), would extend the authority for the construction of a memorial to Dr. Martin Luther King, Jr., in our Nation's capital. H.R. 1209 would simply extend to November 2006 the authorization given to the site's sponsor, Alpha Phi Alpha Fraternity, in the Omnibus Parks And Public Land Management Act of 1996 to raise further funds to build the memorial to Dr. King.

Mr. Speaker, H.R. 1209 is strongly supported by the administration and the majority and minority of the Committee on Resources. I urge my colleagues to support H.R. 1209.

Mr. Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1209, introduced by the gentlewoman from California (Ms. WATSON), our colleague who we will hear from in a short time, is a simple piece of legislation that extends for 3 years the authority for the construction of a me-

morial to Dr. Martin Luther King, Jr., here in the District of Columbia.

In 1996, Public Law 104-333 authorized the Alpha Phi Alpha Fraternity, through the Martin Luther King Memorial Project Foundation, to establish a memorial here in our Nation's capital to America's foremost civil rights leader.

Since that time, the sponsors have worked diligently to secure a memorial site and design approvals. In addition, there is a significant fund-raising campaign underway to secure the necessary funds to build and maintain the memorial. However, not all of the necessary funds have been secured, and ground cannot be broken until the funds are in place. That is the reason we are asking for the extension.

Mr. Speaker, it was only a few short weeks ago that a ceremony was held on the steps of the Lincoln Memorial to dedicate a plaque marking the spot where Dr. Martin Luther King, Jr., delivered his famous “I have a dream” speech 40 years ago.

The proposed memorial will complement both this site and the Martin Luther King, Jr., National Historic Site in Atlanta in providing for present and future generations a greater understanding of the accomplishments of Dr. King in the cause for civil rights.

Mr. Speaker, I strongly support H.R. 1209 and urge its adoption by the House today; and at this time I would like to thank the gentlewoman from California (Ms. WATSON), who introduced this bill, for her leadership in shepherding this bill through the committee process and to the floor.

Mr. Speaker, I yield such time as she might consume to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I rise today in support of the bill, H.R. 1209, to extend the authority for the construction of a memorial to Reverend Dr. Martin Luther King, Jr., on the National Mall.

□ 1530

The authorization set by Congress in 1996 to raise funds for the memorial will expire on November 12, which happens to be my birthday, so I would like to extend the authorization until November 12, 2006.

The tireless efforts by the King Memorial Foundation to raise \$100 million for the construction and maintenance of the project have been strong, but more time is needed to reach its fund-raising goal, and I believe it is our job as lawmakers to ensure that Dr. King will be memorialized in a manner that befits his legacy.

The idea of putting a King Memorial in the Tidal Basin on the National Mall between the Lincoln and Jefferson Memorials is a privilege within itself, and Dr. King deserves such an honor. However, Congress must authorize more time for funds to be raised to build the King Memorial, and it is a huge project.

Our National Mall is representative of the rich history and the strength of